



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC 23 2014

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

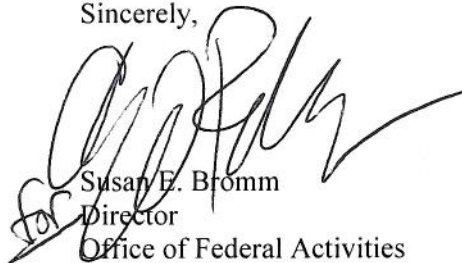
Mr. John K. Bullard  
Regional Administrator  
Greater Atlantic Regional Fisheries Office  
55 Great Republic Drive  
Gloucester, MA 01930

Dear Mr. Bullard:

In accordance with our responsibilities under Section 309 of the Clean Air Act and the National Environmental Policy Act, the Environmental Protection Agency (EPA) has reviewed the National Marine Fisheries Service's Draft Environmental Impact Statement (DEIS) for the Omnibus Essential Fish Habitat Amendment 2 (CEQ No. 20140293). EPA believes that the DEIS provides an adequate discussion of the potential environmental impacts and we have not identified any potential environmental impacts requiring substantive changes. EPA has rated the DEIS as LO – "Lack of Objections." A summary of EPA's rating is enclosed.

We appreciate the opportunity to review this DEIS. If you have any questions, please contact Julie Roemele at [roemele.julie@epa.gov](mailto:roemele.julie@epa.gov) or (202) 564-5632.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan E. Bromm", is written over the typed name and title.

Susan E. Bromm  
Director  
Office of Federal Activities

Enclosure

## **Summary of Rating Definitions and Follow-up Action**

### Environmental Impact of the Action

#### **LO--Lack of Objections**

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### **EC--Environmental Concerns**

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

#### **EO--Environmental Objections**

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

#### **EU--Environmentally Unsatisfactory**

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

### Adequacy of the Impact Statement

#### **Category 1--Adequate**

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

#### **Category 2--Insufficient Information**

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

#### **Category 3--Inadequate**

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.